



The Commonwealth of Massachusetts
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Press Release

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JUDICIARY COMMITTEE APPROVES \$60 PER-HOUR RATE FOR
CPCS ASSIGNED PRIVATE COUNSEL

At the conclusion of a lengthy legislative hearing this afternoon, the Joint Committee on the Judiciary approved without opposition House Bill 4321, filed by Rep. Brian Knuuttila (D-Gardner), and co-sponsored by 22 other legislators, which amends state law to require that private counsel assigned by the Committee for Public Counsel Services (CPCS) to represent poor persons be paid at a minimum rate of \$60 per hour. The Judiciary Committee, co-chaired by Sen. Robert Creedon (D-Brockton) and Rep. Eugene O'Flaherty, heard unanimous testimony in support of the bill from a bipartisan group of legislators, by Chief Justice for Administration and Management Robert Mulligan, the Chief Justices of the Superior Court (Suzanne DelVecchio), District Court (Samuel Zoll), Boston Municipal Court (Charles Johnson), and Probate and Family Court (Sean Dunphy). Juvenile Court Chief Justice Martha Grace was out of state but filed a statement in support of the bill as well.

Also testifying in support of H. 4321 were: Massachusetts Bar association President Richard VanNostrand, Boston Bar Association President Renee Landers, CPCS Chief Counsel William Leahy, Suffolk Lawyers for Justice co-chair Randy Gioia, Bristol County Bar Advocate president Paul Machado, the presidents of numerous county bar associations, and a large number of attorneys who accept

CPCS assignments. All speakers described the utter inadequacy of the current hourly rates, which are the third lowest in the nation.

In his testimony, Leahy described the escalating counsel crisis which has been building due to inadequate attorney pay rates. He stated: "The Governor's response to this crisis has been the equivalent of pouring gasoline over smoldering coals." In particular, he criticized the Governor's veto of millions of dollars in necessary counsel payments for this year, and the Governor's slashing, in the budget he proposed last week, of over \$20 million in necessary funding for next fiscal year.

As the hearing concluded, an Administration representative was seen handing out copies of a letter delivered today to Ways and Means Chairs Senator Therese Murray and Representative John Rogers, promising the filing "in the coming weeks" of \$16 million in supplemental funding for CPCS services. This funding, Leahy noted, would finally replace the \$15 million in CPCS funding which was vetoed in July, 2003.

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